

REMARKS/ARGUMENTS

Prosecution was reopened in view of the previously filed appeal brief. The specification was objected to. The Abstract has been amended. Claims 1 to 5, 8 to 11 and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C 103(a) as obvious over Bryson et al. (US 3,733,947). Claim 7 was rejected under 35 U.S.C 103(a) as being unpatentable over Bryson (US 3,733,947) in view of Moser (US 4,518,156).

Objections to Specification

The specification was objected to. The Abstract has been amended. Withdrawal of the objection to the specification is respectfully requested.

35 U.S.C. §102(b) Rejections

Claims 1 to 5, 8 to 11 and 21 were rejected under 35 U.S.C. §102(b) as being anticipated by or, in the alternative, under 35 U.S.C 103(a) as obvious over Bryson et al. (US 3,733,947).

Claim 1 recites:

a pusher element movable relative to a front table of the sheet material article trimmer and configured to move a sheet material article to be trimmed on the front table and into engagement with a backstop of the front table; and

a driver configured to move the pusher element at a same speed as the front table for *a period of time* with the pusher element in engagement with a first edge portion of the sheet material article and the backstop in engagement with a second edge portion of the sheet material article, *the period of time being at least as long as a time required for a front clamp of the sheet material article trimmer to move through a distance corresponding to a difference in thickness between a thinnest sheet material article in a range of thicknesses and a thickest sheet material article in the range of thicknesses* so as to grip the sheet material article against the front table.

The driver thus drives the pusher element for a period of time longer than an instantaneous time. As clearly described for example with reference to Fig. 12, the period of time may correspond to for example when the shuttle (pusher) velocity matches the front table velocity from 20 degrees (clamp thinnest book) to 350 (clamp thickest book). The period of time as described is dependent on the range of possible book thicknesses for the infeed apparatus, but is independent of the actual

book thickness as clearly described in the specification. See [0044] for example.

Bryson et al simply discloses a driver which moves the pusher element at a same speed as the front table as claimed at an instantaneous moment, as already admitted in previous office actions. It would not move over a period of time equal to 30 degrees of motion, as shown for example in Fig. 12 of the present invention. In fact, Bryson clearly shows a hand crank 79 which is used to set the instantaneous period of time, so that it is clear that the driver does not “move the pusher element at a same speed as the front table for *a period of time ..., the period of time being at least as long as a time required for a front clamp of the sheet material article trimmer to move through a distance corresponding to a difference in thickness between a thinnest sheet material article in a range of thicknesses and a thickest sheet material article in the range of thicknesses.*”

Claim 21 has a similar limitation.

It also would not have been obvious to have provided such a limitation to the Bryson device and no teaching or disclosure suggests such a modification. The language of claim 1(d) only points to one selected speed and the means disclosed in Bryson (by law it is limited to the disclosure and its equivalents: See 35 U.S.C. 112, paragraph 6) does not teach or suggest this.

Bryson '947 is discussed at length at [0066] et seq. and is a different mechanism as described.

Withdrawal of the rejection to claims 1 to 5, 7 to 11 and 21 is respectfully requested.

Claim 3 recites the infeed apparatus as recited in claim 1 wherein the driver includes:
a main cam rotated by a main trimmer drive of the sheet material article trimmer; and
at least one cam follower operatively connected to the pusher element and configured to follow the main cam so as to move the pusher element at the same speed as the front table when the cam follower is in a first arc of the main cam, the cam follower being on the first arc of the main cam for the period of time.

Bryson does not show any such first cam arc (see Fig. 3 of the present application): the cam follower is not on the first arc for “the period of time” as defined by claim 1.

Withdrawal of the rejection to claims 3 to 5 for this reason as well is respectfully requested. In addition, the office action identifies the second and third arc as the same arc.

Claim 8 recites the infeed apparatus as recited in claim 1 wherein the driver includes a

servo motor configured to vary a speed of the pusher element.

Bryson does not disclose a servo motor, as it has no servomechanism. A servomechanism requires a feedback loop which Bryson does not have. As admitted by the office action, Applicant's disclosed servomotor has, by definition, a servomechanism.

Withdrawal of the rejection to claim 8 for this reason as well is respectfully requested.

Withdrawal of the rejection to claims 1 to 5, 7 to 11 and 21 is respectfully requested.

35 U.S.C. §103(a) Rejections

Claim 7 was rejected under 35 U.S.C 103(a) as being unpatentable over Bryson (US 3,733,947) in view of Moser (US 4,518,156).

Claim 7 recites the infeed apparatus as recited in claim 4 wherein the at least one cam follower includes a first and a second cam follower disposed at opposite sides of the main cam and urged into engagement with the main cam.

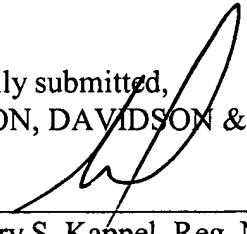
Bryson does not show a second cam follower. There is absolutely no reason or motivation to provide Bryson with a second cam follower- the Moser device is completely different and the cam followers are for a different purpose. Two cam followers would not have prevented unwanted movement of the cam, nor does Bryson at all (or any other reference) disclose that this could be an issue or need in his device.

Withdrawal of the rejection to claim 7 is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,
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